



Louisville Metro Tree Advisory Commission

Tuesday, May 28, 2013

5:00 PM

Air Pollution Control District Boardroom

850 Barret Avenue

Meeting Minutes

I. Welcome and Announcements

The following Louisville Metro Tree Advisory Commission (hereinafter, "Commission" or "LMTAC") members were present: Henry Heuser, Jr. (Co-chair), Katy Schneider (Co-chair), Allen Steinbock (Secretary-Treasurer), Paul Cappiello, Maria Koetter, Monica Orr, and Robert Eberenz, Jr., as well as ex-officio members Mesude Duyar, Michelle King, Sherie Long, and Mark White. Mary Ellen Wiederwohl, Chief of Strategic Initiatives, was also present, representing the Mayor's office.

II. Approval of Minutes

Co-Chair Henry Heuser, Jr., asked for approval of the minutes from the April 23, 2013 meeting, Commissioners Paul Cappiello and Monica Orr seconded the motion. The minutes were approved unanimously.

III. Old Business

a. Mayor's Budget – Mary Ellen Wiederwohl, Chief of Strategic Initiatives, Office of the Mayor

Mary Ellen Wiederwohl informed the Commission that the new city budget for fiscal year 2014 (July 1, 2013 – June 30, 2014) will fund an Urban Forester, a new position in Louisville Metro Government. Henry asked who this position would report to, and Mary Ellen replied that the Forester would be under Brightside organizationally. She also noted that there would be \$50,000 toward funding an urban tree canopy study. Mary Ellen cautioned that the budget was still contingent upon approval from Metro Council and urged the audience and members to contact their Metro Council representatives to express support of the budget for tree-related resources.

b. Update from Office of Sustainability – Maria Koetter, Director of Sustainability

Louisville Metro Sustainability Director and Commissioner (on behalf of Economic Growth & Innovation Director Ted Smith) Maria Koetter briefed the Commission on Louisville's participation

in Portland State University's urban sustainability accelerator program, which will be focused on green infrastructure in the area south of Broadway known as the "SoBro" neighborhood. Maria said the goal is to get some shovel-ready sites at the end of the year.

Maria also reported that she had submitted a grant application for a comprehensive urban heat island study, mitigation plan, and community engagement project. Additionally, she secured matching commitments from two local foundations which was a requirement in order to apply for the grant program. She noted that Ex-officio Commissioner and Air Pollution Control District Environmental Supervisor Michelle King had done the heavy lifting on writing the grant application and that the grant awards will be announced in September.

c. Update on Brightside Partnership – Katy Schneider

Commission Co-chair Katy Schneider noted that the Commission had spent the past year trying to start a 501(c)(3) non-profit fund in order to accept donations. Katy noted that Brightside, which does have 501(c)(3) status, had a new "clean and green" direction and asked Brightside Executive Director Gina O'Brien to stand up and introduce herself. Gina did so. Katy said this would be a new opportunity to work with Brightside to accomplish some of the same goals.

Katy noted that a few Commissioners, Gina, and other Brightside stakeholders would be traveling to Indianapolis to meet with members of the non-profit organization Keep Indianapolis Beautiful (KIB). Similar to Brightside's current efforts to refocus its mission, KIB has made urban tree canopy a key aspect of its mission and may have lessons to share from their efforts.

As it relates to budgeted resources for trees and tree maintenance, Henry asked Ex-officio Commissioner and Louisville Metro City Arborist Mark White if the city had enough watering trucks to water existing trees. Mark said they either had enough or they were working on getting them.

IV. New Business

a. Bowman Field Airport Area Safety Program – Skip Miller, Trish Burke, and Melissa Jenkins, Louisville Regional Airport Authority

Henry asked Louisville Regional Airport Authority (LRAA) Executive Director Skip Miller to introduce himself and his associates. Skip introduced Melissa Jenkins as the local project manager and said she would be working closely with the Bowman Field neighborhood. Skip said he was here to update the Commission on the Bowman Field situation. Skip asked for 10-15 minutes to speak. Henry and Katy assented.

Skip explained that the Federal Aviation Administration (FAA) is the body that establishes the standards with regards to obstructions near airports. FAA has changed the standards, in large part because of GPS capabilities and starting in 2012 the FAA began requiring new obstruction standards for departure surfaces, whereas in the past it had been more focused on approach surfaces. Trish handed out copies of a Bowman Field Airport Area Safety Program factsheet (Attachment A). Skip used the handout to show areas that in 2011 the FAA considered to be the principal areas of concern (outlined in orange). Skip said that since 2011 LRAA has been in discussions with the FAA and that in response the FAA has shifted its focus back to obstacles of approach surfaces. Skip pointed to these new areas (outlined in blue) and said they were smaller and, for the most part, less steep than they were originally.

Skip said that LRAA had used a contractor, Hanson, to do a very comprehensive survey of the trees in the Bowman Field area. In this survey they identified 200-250 areas of interest—all trees—that

could potentially be obstructions. There could be more than one tree at a single area of interest, he said, so the number of actual trees could be much greater than 250. The LRAA has not yet pinpointed each location. However, Skip added that an area of interest is not necessarily an obstruction and that it would take the FAA up to six months to study the data, which was just recently submitted, and to make that decision for each area. If they decide something is an obstruction, Skip said, the next step will be to decide what needs to be done with it.

Skip said that for any obstructions on land which the LRAA owns or has easements, the LRAA would go directly to the mitigation phase. For the areas where the LRAA does not already have an easement, FAA will require an environmental assessments, a process which include public comment. Skip noted that the spectrum of mitigation options that the FAA might require includes a range of choices from no action, to lighting, to taking the tree out.

Skip said the LRAA would replace the trees on a 2-for-1 basis. Henry asked what kind of trees they would be using. Skip said they would be 2-3" caliper low-canopy trees, such as redbuds. Some of the Commissioners voiced their disapproval. Skip noted that the list was not exclusive. He also noted that they would hire landscape architects to advise neighbors on how to re-landscape with new vegetation and that there will also be an ombudsman.

Henry highlighted that nothing would happen for at least six months while FAA review LRAA's list of areas of interest and determines which are obstructions. Skip confirmed that indeed it would be at least six months, and then the environmental assessment process would happen subsequent to that.

Mary Ellen noted that the LRAA would not remove a big oak and replace it with another oak that would simply need to be removed again in the future. However, she said it would be helpful for the Commission to advise the LRAA on the types of trees that would be optimal. Commissioner and Projects & Maintenance Committee Co-chair Paul Cappiello noted that the Projects & Maintenance Committee was working on just such a list. Skip said that such a list would be helpful and that the LRAA was committed to being helpful and flexible. Henry noted that the revised plan reflects a 30-40% reduction from the original plan's area of concern, which should mean fewer trees are potential obstructions, necessitating fewer trees be removed in the end.

Katy called on an audience member to ask a question. He asked if the trees were being removed so larger jets could fly in. Skip said the LRAA's actions were dictated by new FAA criteria that will eventually apply to every airport in the country and that the reason Bowman Field was implementing them sooner rather than later is because they had just done an Airport Layout Plan Update, which triggered an update to the safety regulations. The audience member also asked about noise and whether there would be more aircraft flying into Bowman Field. Skip said numbers of aircraft were outside the scope of what they were looking at.

Katy recognized Leslie Barras, who spoke on behalf of Plea for Trees. Leslie said Plea for Trees believed that the airport could be operated safely as is. She said it was "extremely premature" to be talking about mitigation and other alternatives were available short of tree removal. She noted that the FAA has granted variances before. She also said that with private landowners, the trees are community resources that need to be explicitly recognized.

Katy called on Projects & Maintenance Committee Co-chair Mike Hayman to ask a question. Mike noted that the original request was 400% more airspace than now exists. The 30-40% reduction was off of that 400% increase. Science & Inventor Committee Co-chair Margaret Carreiro asked Skip

how many trees would be affected. Skip said the FAA analysis would be a big part of that, followed by a process of determining what measures would be the most appropriate. Commissioner and Education & Outreach Committee Co-chair Monica Orr asked Skip whether the survey data will be made public. Skip said it would be up to the FAA, who owns the data and the analysis.

b. Guidelines for speaking on behalf of the Commission – Katy Schneider

Katy re-iterated that the Commission's mission is to preserve, protect, and grow the urban forest. But, she said, the Commission is not an entity unto itself. It was created by the Mayor with the purpose of advising him.

She noted that she was recently asked to speak at the Land Development and Transportation committee of the Planning Commission, which was hearing a case about acreage slated for development. Katy testified about the importance of trees at the hearing, but that it raised the issue of what was appropriate in speaking on behalf of the Commission. The Policy Committee accordingly developed speaking guidelines, which Katy reviewed with the Commission (Attachment B). Katy said that Commissioners could not even speak as private individuals, since they are inexorably associated with their Commission roles. However, she encouraged arborists and other knowledgeable tree advocates in the audience to testify about the benefits of trees where the Commissioners could not. Katy further clarified that the policy only applies to Commissioners, not to non-Commissioner subcommittee members.

Katy made the motion to approve the new policy. The policy received unanimous approval by voice vote.

V. Committee Reports

a. Projects and Maintenance Committee – Mike Hayman

Henry called on Mike Hayman to update the Commission on the Projects & Maintenance Committee's work. Mike handed out a two-page summary of the Committee's efforts (Attachment C). Mike said the Committee had planted a total of almost 300 trees, which was good considering they had no money and were limited to donated resources. He noted that the Committee had partnered in many cases with other organizations and individuals.

The second page listed targets for next year. Mike said there was also a new plan for downtown in the works in areas with more soil than the typical 4' x 4' tree well. Mike also mentioned the trees at the Kentucky Center for African-American Heritage. He said since the Festival of Faiths last fall they had planted 47 trees there, with a goal of 100 trees. Katy noted that this was an area where Brightside could really help.

b. Science & Inventory Committee—Margaret Carreiro

Margaret said the Committee had submitted the RFP to Maria last month and was now resting and waiting to see what would happen with the RFP. She noted that she was pleased to see positive action with regards to moving the RFP toward release.

Maria added that she received the RFP on April 29th and had been in contact with Margaret to follow up on some details. She said Metro Government would coordinate the purchasing process. Margaret asked to find out more about the UHI study grant. Mary Ellen said the UHI grant might take that burden off of the Tree Canopy RFP.

Katy noted that there had been a reaction against “another study,” but that the analysis of the data would be very detailed and much more complicated than simply looking at a Google map. Margaret agreed and said the Committee was very specific in detailing what the RFP seeks. Katy noted that Henry had once been skeptical about the need for a study, but he’s now a big advocate for it. Henry agreed. Katy said if the city doesn’t grow the canopy in an intelligent way, using limited resources efficiently and where they have the most effect, it won’t get very far. Margaret said the study should tell us where the best places to plant trees will be. Mike said as a tree planter he would rather see the money for the study than money to plant trees. He said money can often be found for trees, but they need to know where they are best planted.

Mary Ellen suggested there should be a pitch document with comments from the arborists on the Commission and others to help bolster the case for the tree canopy study. Ex-officio Commissioner and Metro Parks Forestry Manager Mesude Duyar said that as a forester she has come to realize it is more efficient to plan ahead and know resources needs before moving forward.

VI. Tree Facts Presentation – Mesude Duyar

Mesude presented on tree damage caused by string trimmers and lawn mowers. When a tree is damaged by a trimmer or mower, she said, it causes an open wound which allows diseases to enter. She said the best way to protect the tree is simply to stay away from the tree trunk. Mulch rings help, but even weeds would be better than mower or trimmer damage. If all else fails, there are guards that will protect the tree trunk.

Henry noted that tree grates, like those in use in some places downtown, can choke trees when they outgrow the grate’s opening.

VII. Other Comments

Henry called on an audience member to make a comment. Cindy Huber introduced herself and expressed concern with how the Bowman Field project would affect the American Cancer Society’s Living Memorial Grove of Trees planted from roughly the intersection of Taylorsville Road and Pee Wee Reese Way to the Seneca Golf Course clubhouse. She noted that trees, which are planted with donations from individuals, were living memorials to loved ones who have died of cancer or are in honor of a cancer survivor. She said they had planted flowering trees in the previously recognized flight path area, but that they had planted larger trees outside that area.

Henry recognized Phil Bills, also in the audience, to make a comment. Phil asked for consideration on where the trees are planted and noted that he had a very good friend who was killed in a plane crash when his plane clipped a tree.

VIII. Adjourn

Henry adjourned the meeting and announced that there would be no Commission meeting in June, rather next meeting would be July 23, 2013 in the APCD Boardroom.